

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 18-00309-01-CR-W-DGK
	)	
JAMES SAMUELS,	)	
	)	
Defendant.	)	

**DEFENDANT'S MOTION FOR  
RECONSIDERATION OF DETENTION ORDER**

COMES now the defendant, James Samuels, by and through his undersigned counsel, and moves this Court for reconsideration of the Court's Detention Order entered in this case. In support, Mr. Samuels suggests the following:

**PROCEDURAL BACKGROUND**

1. On February 1, 2018, the defendant was charged by criminal complaint with violations of 18 U.S.C. §§ 922(d)(1), 924(a)(2) and (h).
2. On October 5, 2018, the Federal Public Defender and her assistants were appointed to represent Mr. Samuels.
3. On October 11, 2018, defendant appeared before the Honorable Lajuana M. Counts, United States Magistrate Judge, for detention and preliminary hearings.
4. On October 24, 2018, the defendant was charged by indictment with violations of 18 U.S.C. §§ 371, 924(a)(1)(A), 922(a)(1)(A), (d)(1), 923(a), 924(a)(1)(D), (a)(2), and (h).
5. On November 1, 2018, defendant appeared before the Honorable Lajuana M. Counts, United States Magistrate Judge, for an initial appearance and arraignment.
6. Pre-trial conference is set for September 3, 2019 and Jury Trial is set for

September 23, 2019.

**ARGUMENT**

1. Mr. Samuels is a fifty-four year old man who has had stable employment with the Kansas City, Missouri Fire Department for the past twenty years.
2. Mr. Samuels recently put in a request for retirement and would be able to be subject to home monitoring, if released.
3. Mr. Samuels has no prior criminal history.
4. Mr. Samuels has no prior substance abuse history.
5. Mr. Samuels has been a life-long resident of the Kansas City area and has significant family ties to the community.
6. Mr. Samuels has a wife and stable residence to return to if released.
7. Mr. Samuels fully recognizes the gravity of his charges and is willing to abide by any release conditions that might be established by the Court and of the office of Pretrial Services. In addition, Mr. Samuels submits that conditions of release could be fashioned to secure the safety of any persons and the community.
8. Mr. Samuels has a defense of duress to the charges against him and begs the Court to grant a cash bond or any bond in this matter, so that he can return home to his family.
9. Due to the government shutdown, much needed services have been suspended, until further notice. If granted release, the Defendant could utilize therapy and counseling services that could be helpful in his case.

WHEREFORE the defendant now requests that this Court review its previously entered Order of Detention and enter an Order releasing the defendant on bond or electronic home detention so that the defendant can seek employment and attend to his affairs during the pendency of this case.

Respectfully submitted,

/s/ Allison M. English  
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(816) 471-8282  
ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that the foregoing motion was electronically filed and emailed to Bradley K. Kavanaugh, Assistant United States Attorney, this 7<sup>th</sup> day of January, 2019.

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